

SHER TREMONTÉ LLP

December 8, 2023

MEMO ENDORSED

BY ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Ruben Fernandez, 12-CR-712 (SHS)*

Dear Judge Stein:

As you know, we represent Ruben Fernandez in connection with his pending violation of supervised release. We write jointly with the Government to update the Court in advance of Mr. Fernandez's upcoming status conference, set for December 12, 2023 at 2:30 pm.

The defense reports the following:

Since last appearing before Your Honor, Mr. Fernandez has continued his supervision without issue. He continues to report to probation and has not tested positive for illicit substances. He maintains his residence at Alice Kornegay Senior Housing. He has been experiencing severe and disruptive headaches, for which he has sought medical attention. He is scheduled for a CT scan on January 2, 2024. In addition, Mr. Fernandez suffers from severe arthritis in his left shoulder, for which his orthopedic surgeon has recommended a shoulder replacement. He has also torn a tendon in his left shoulder. Since the arrest detailed in his violation specifications, he no longer rents a chair at the barber shop and is not employed. He collects SSI benefits.

The Government takes no position as to these updates.

Mr. Fernandez's state case remains pending, and no indictment has been filed. His next appearance in state court is scheduled for December 14, 2023 at 9:00 am.

Given the foregoing, Mr. Fernandez respectfully requests an adjournment of the December 12, 2023 status conference to a date after January 15, 2024. If there are developments in the state matter at the December 14, 2023 appearance, a further update will be provided no later than December 23, 2023.

The Government consents to this request for adjournment.

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We thank the Court for its consideration.

Respectfully submitted,

/s/ Justine Harris

Justine Harris
Neesha Chhina

cc: AUSA Connie Dang (by ECF)

The conference is adjourned to January 19, 2024, at 11:00 a.m.

**Dated: New York, New York
December 11, 2023**

SO ORDERED:

Sidney H. Stein, U.S.D.J.